

produced a solid mass, indicating that such lot was non-destearinated, and the standard of quality and purity was not declared on its label.

The Missouri lot was alleged to be misbranded in that the statement in its labeling, "Guaranteed to Contain Not Less Than 200 A. O. A. C. Units Vitamin D Not Less Than 1000 Units Vitamin A per Gramme of Oil," was false and misleading since it contained not more than 100 A. O. A. C. units of vitamin D and not more than 700 U. S. P. units of vitamin A per gram.

The Ohio lot was alleged to be misbranded in that the statement in its labeling, "Guaranteed to Contain Not Less Than 200 A. O. A. C. Units Vitamin D * * * per Gramme of Oil," was false and misleading since it contained not more than 85 A. O. A. C. units of vitamin D per gram.

On September 29, 1943, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$100.

1016. Adulteration and misbranding of surgical catgut. U. S. v. Flanders-Day Co. Plea of guilty. Fine, \$100. (F. D. C. No. 8821. Sample Nos. 22551-F, 32801-F, 32806-F.)

On May 10, 1943, the United States attorney for the District of Massachusetts filed an information against the Flanders-Day Co., a corporation, Boston, Mass., alleging shipment on or about August 25, September 17, and October 14, 1942, from the State of Massachusetts into the States of New York and Pennsylvania of quantities of surgical catgut which was adulterated and misbranded. The article was labeled in part: (Carton) "Flanders Standard Sutures and Ligatures * * * U. S. P. Surgical Catgut Sterile," and (tubes in 2 of the shipments) "U. S. P. Surgical Catgut."

Examination of samples of the article showed that it was contaminated with viable aerobic and, in 2 of the shipments, anaerobic, spore-bearing bacteria.

The article was alleged to be adulterated in that it purported to be and was represented as a drug, surgical catgut, the name of which is recognized in the United States Pharmacopoeia (second supplement, eleventh revision), an official compendium, but its quality and purity fell below the standard set forth therein since it was not sterile and did not meet the test for sterility of solids described in that compendium.

It was alleged to be misbranded in the statements in the labeling, (cartons) "U. S. P. Surgical Catgut Sterile," and (tubes) "U. S. P. Surgical Catgut," were false and misleading.

On May 25, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$100.

1017. Adulteration and misbranding of Codecol and ephedrine sulfate solution. U. S. v. Harvey Laboratories, Inc. Plea of nolo contendere. Total fine, \$200. (F. D. C. No. 8834. Sample Nos. 23000-F, 23326-F.)

On April 30, 1943, the United States attorney for the Eastern District of Pennsylvania filed an information against the Harvey Laboratories, Inc., Philadelphia, Pa., alleging shipment on or about September 22 and December 12, 1942, from the State of Pennsylvania into the State of New Jersey of quantities of Codecol and ephedrine sulfate solution that were adulterated and misbranded.

Adulteration of the articles was alleged in that their strength differed in the following respects from that which they were represented to possess: The Codecol was represented to contain, in each fluid ounce, 8 grains of ammonium chloride and $\frac{1}{2}$ grain of antimony potassium tartrate, whereas it contained not more than 6.73 grains of ammonium chloride and not more than 0.1 grain of antimony potassium tartrate per fluid ounce; the ephedrine sulfate solution was represented to contain 1 percent of ephedrine sulfate, whereas it contained not more than 0.78 percent of ephedrine sulfate.

The articles were alleged to be misbranded in that the statements appearing in the labeling of the Codecol, "Ammonium Chloride . . . 8 gr. Antimony Potassium Tartrate . . . $\frac{1}{2}$ gr. * * * qs. . . . 1 oz.," and, "Ephedrine Sulfate 1%" borne on the bottle label of the ephedrine sulfate solution, were false and misleading.

On June 2, 1943, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$50 upon each of the 4 counts, a total of \$200.

1018. Adulteration and misbranding of elixir of iron, quinine and strychnine phosphates. U. S. v. The Liebhenthal Brothers Co. (Mario Products Co.). Plea of guilty. Fine, \$500 and costs. (F. D. C. No. 8772. Sample No. 5926-F.)

On January 29, 1943, the United States attorney for the Northern District of Ohio filed an information against the Liebhenthal Brothers Co., a corporation doing business under the name of the Mario Products Co., Cleveland, Ohio, alleging